

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

June 22, 2010

Jack Lynch
Global Exploration and Production
Global Supply and Trading
US General Counsel
501 WestLake Park Boulevard
Houston, TX 77079

Re: BP's Errant Litigation Strategy

Dear Mr. Lynch:

Since our first meeting immediately following the Deepwater Horizon oil spill, I have repeatedly asked British Petroleum to agree that it will not assert federal preemption or attempt removal to federal court, if any state court action is filed by the states as a result of the oil disaster. In my June 6, 2010, letter I even set forth the state statutory and state common law claims for which the state might seek payment. It is indeed a show of bad faith by British Petroleum to reject this earnest request.


I must admit that British Petroleum's filing of its motion to consolidate claims into a multidistrict litigation was indicative of a legal strategy to use dilatory tactics in attempting to delay payment of the full amount of claims to the states and other claimants. However, I had hoped that your company would not try to go down the litigation path taken by Exxon.

It appears that the British Petroleum legal strategy is to wait until after the public fervor dies down and then begin an entrenched legal battle to drag all claims before the court most favorable to the oil industry. I will do all I can to prevent that from ever happening. In fact, I have asked the United States Congress to change the laws under which I anticipate you will seek to wrongfully remove state claims.

The State of Mississippi does not want a dime more, nor a dime less than it is entitled to receive. British Petroleum has an opportunity to actually prove it is committed to quickly settle all legitimate claims by agreeing to keep state law claims in state court. Your company certainly needs to show a step of good faith by reaching an agreement with the states.

I still hope that we can settle our damages without litigation. The choice is yours.

Sincerely yours,


Jim Hood
Attorney General

cc: Chairman John Conyers, Esq.
House Judiciary Committee
United States Congress

Honorable Buddy Caldwell
Louisiana Attorney General

Honorable Bill McCollum
Florida Attorney General

Honorable Troy King
Alabama Attorney General

Honorable Greg Abbott
Texas Attorney General